

§ 630.25

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§ 630.25 Civilian detention facilities.

(a) When necessary, civilian detention facilities may be used to temporarily detain absentees, deserters or escaped military prisoners. Contracts providing for payment of actual costs for detention may be made with state or county jails that have been approved by the Bureau of Prisons. U.S. Department of Justice information about approved facilities is available from the nearest U.S. Marshal's office.

(b) Contracts must contain standards of treatment of military prisoners per AR 190-47, The Federal Acquisition Regulation (FAR), The Federal Acquisition Supplement (FAS), and the Army Procurement Procedure Supplement (APPS) govern these contracts.

§ 630.26 Costs of civilian detention facilities.

(a) Civilian authorities may be reimbursed according to contracts for temporary detention after military authorities have assumed custody. It does not authorize payment from the date further detention was requested. This does not authorize payment for subsistence and detention for the same period for which a reward was authorized. This does not preclude payment of reward or reimbursement for reasonable expenses for periods before delivery to military custody. Detained officers receiving basic allowance for substance (BAS) are charged the cost of substance.

(b) Costs incurred by the Army for detention under an Army contract are paid to the civilian facility. Any payment to the Army by another Armed Service must be by prior agreement between the commanders concerned.

Subpart F—Payment of Rewards and Reimbursements

§ 630.27 Rewards.

(a) Receipt of an authorized communication, oral or written (for example DD Form 553 and entry into the NCIC) from a military or Federal law enforcement official or agency, requesting cooperation in the apprehension or delivery to military control of an absentee or deserter wanted by the Armed Forces constitutes the basis for a reward.

(b) A reward can be paid to an eligible person or agency who apprehends and detains an absentee or deserter until military authorities assume control. The finance and accounting officer designated by the MACOM commander pays the claimant. If two or more eligible persons or agencies are entitled to a reward, the payee may divide the payment among the participants. Payment for an apprehension effected jointly by an eligible and ineligible person or agency may be claimed by the eligible person or agency. Ineligible persons may not share in payments.

(c) Payment of a reward to persons or agencies is authorized as indicated below:

(1) A reward for apprehension and detention of an absentee or deserter until military authorities assume custody.

(2) A reward for apprehension of an absentee or deserter and subsequent delivery to a military installation with facilities to receive and process absentees and deserters.

(d) The reward may not exceed the amount specified in the current defense appropriation account for—

(1) The apprehension and detention of absentees or deserters until military authorities take custody.

(2) The apprehension and delivery to military authorities of absentees or deserters.

(e) A reward or reimbursement for expenses is not authorized for an Armed Service member, Federal government employees, a lawyer on whose advice an absentee or deserter surrenders, or when payment would violate public policy.

§ 630.28 Reimbursement payments.

(a) Reimbursement payments to official agencies is authorized when—

(1) A reward has been offered.

(2) Reimbursement is requested in place of a reward.

(b) Reimbursement for reasonable and actual expenses may be made to more than one eligible person or agency. However, total reimbursement for the return of an absentee or deserter may not exceed the amount authorized for reward.